

*IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION AT KNOXVILLE*

IN RE:

RICHARD PARKER WILKINSON

Case No. **3:16-BK-31282-SHB**
Chapter 7.

Debtor.

TRUSTEE'S APPLICATION TO EMPLOY COUNSEL

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to E. D. Tenn. LBR 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of the court at Howard H. Baker, Jr. U.S. Courthouse, 800 Market Street, Suite 330, Knoxville, TN 37902, an objection within 21 days from the date this paper was filed and serve a copy on the movants' attorney, Ryan E. Jarrard, Esquire, Quist, Fitzpatrick & Jarrard, PLLC, 2121 First Tennessee Plaza, Knoxville, TN 37929-9711, or rej@qcflaw.com. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this paper and may grant the relief requested without further notice or hearing.

Comes Michael H. Fitzpatrick, Trustee, pursuant to 11 U.S.C. §327(a), Fed. R. Bankr. P. 2014 and E.D. Tenn. LBR 9013-1(h)(1)(xiv), and moves the Court for authority to employ counsel as follows:

1. The Debtor filed a voluntary Chapter 7 on April 25, 2016. Michael Fitzpatrick was appointed as Chapter 7 trustee, and continues to serve in that capacity.
2. The Trustee wishes to employ an attorney to represent the estate with respect to investigating and recovering potential fraudulent conveyances of assets, investigate potential objections to discharge under 11 USC § 727, and to assist with all other needs of the estate.
3. The Trustee seeks authorization to employ Ryan E. Jarrard and the firm of Quist, Fitzpatrick & Jarrard, PLLC. The attorneys do not hold any interest adverse to the estate and are disinterested persons within the meaning of 11 U.S.C. §101(14).
4. The Trustee proposes to employ said attorneys at an hourly rate, as part of counsel's affidavit, attached hereto and incorporated herein by reference, and such expenses as may be

allowed by the Court in accordance with the standard promulgated by the U.S. Trustee's Office, with the total amount of the compensation and expenses to be fixed and determined by the Court upon proper application at the conclusion of the attorneys' services.

5. The Trustee is entitled to employ an attorney, with Court approval, pursuant to 11 U.S.C. §327(a).

6. There is no application for a post-petition retainer. There are no actual or potential conflicts of interest. There are no other facts which would preclude retention of counsel.

WHEREFORE, the undersigned prays that he be authorized to employ the aforesaid attorney under the terms and conditions set forth, *nunc pro tunc* to the date this application is filed.

Respectfully submitted,

/s/ Michael H. Fitzpatrick

Michael H. Fitzpatrick, Trustee
BPR No. 006033

Quist, Fitzpatrick & Jarrard, PLLC

2121 First Tennessee Plaza

800 South Gay Street

Knoxville, TN 37929-9711

(865) 524-1873 ext. 222

MHF@QCFLaw.com

/s/ Ryan E. Jarrard

Ryan E. Jarrard, Esq.

BPR No. 024525

Attorney for Michael H. Fitzpatrick, Trustee

Quist, Fitzpatrick & Jarrard, PLLC

2121 First Tennessee Plaza

800 South Gay Street

Knoxville, TN 37929-9711

(865) 524-1873 ext. 232

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Trustee's Application to Employ Counsel, Affidavit of Professional Person and proposed Order have been served upon the indicated parties by placing a copy thereof in the U.S. Mail, first class postage prepaid, via email or ECF this August 19, 2016:

Office of the U.S. Trustee
VIA ECF

All Parties in Interest on the attached list

/s/ Michael H. Fitzpatrick
ATTORNEY